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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,379	10/01/2003	Naoki Shimada	03500.013347.1	4398

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NEW YORK, NY 10112

EXAMINER
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GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/674,379

Applicant(s)

SHIMADA, NAOKI

Examiner

Gabriel I. Garcia

Art Unit

2625

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 November 2005 and 05 January 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 31-48 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 31-34, 36-39, 41-44 and 46-48 is/are rejected.  
7) ☐ Claim(s) 35, 40 and 45 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

1. This application has been examined. Claims 31-48 are pending in this application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 31-34, 36-39, 41-44 and 46-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry et al. (6,850,335).

With regard to claim 31, Barry et al. teaches an information processing apparatus (e.g. 10, 14, 28, or 52) for causing a plurality of printers (see fig. 2) to execute printing, said apparatus comprising: a discrimination unit arranged for discriminating whether a document comprising a plurality of pages is to be printed as a plurality of copies or as a single copy (e.g. (reads)); and a print data unit (e.g. 26, 52, or 41), arranged for generating print data for causing the plurality of printers to print the document copy by copy (e.g. fig. 5 and col. 8, lines 24-44, and col. 17, line 43 thru col. 18, line 34) such that the page order (e.g. col. 5, lines 10-30) in each copy is maintained if said discriminating unit discriminates that the document is to be printed as a plurality of

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copies (see also fig. 5), and generating print data for causing the plurality of printers to print the document page by page if said discrimination unit discriminates that the document is to be printed as a single copy (e.g. fig. 5, on col. 8, lines 24-44, and col. 17, line 43 thru col. 18, line 34).

With regard to claim 32, Barry et al. further teaches wherein if said discrimination unit discriminates that the document is to be printed as a single copy, said print data unit divides the number of pages of the document by the number of printers to obtain a number of print pages for each printer and generates the print data based on the obtained number of print pages (e.g. fig. 5, and col. 2, lines 52-63).

With regard to claim 33, Barry et al. further teaches a transmission unit (step 354, also see fig. 22 and 23) arranged for transmitting the print data generated by said print data unit to the printers (16) (see fig. 1-3).

With regard to claim 34, Barry et al. further suggests wherein the printers include an ink jet printer (e.g. col. 1, lines 24-42, and col. 2, lines 33-49, a color print engine can be an ink jet printer).

With regard to claims 36-39 and 41-44, the limitations of claims 36-39 and 41-44 are covered by the limitations of claims 31-34 above (the means of claims 31-34 perform the steps of claims 36-39 and 41-44, which could be programmed to perform the method and computer program of claims 36-45).

With regard to claims 46-48, the limitations of claims 46-48 are covered by the limitations of claims 31-34 above (e.g. the print data unit is equivalent to the print control unit).

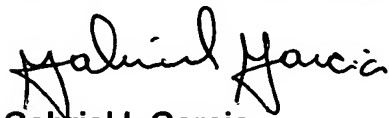
**Conclusion**

4. Applicant's arguments with respect to claims 31-48 have been considered but are moot in view of the new ground(s) of rejection.

5. Claims 35, 40 and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record fails to teach or suggest (in combination with the features in the base claim(s)) a second discriminating unit performing the steps as recited in claims 35,40 and 45.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The examiner can normally be reached Monday thru Thursday from 7:30AM-6:00PM. Previous Art Unit # 2624 has been restructured to Art Unit # 2625.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600. The fax number for official faxes is (571) 273-8300.



**Gabriel I. Garcia**  
**Primary Examiner**  
**Art Unit # 2425**  
**April 1, 2006**